

Message Text

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ACTION TRSE-00

INFO OCT-01 EUR-12 EB-08 ISO-00 XMB-02 OPIC-03 FEA-01
AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03
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PA-01 AID-05 SS-15 STR-04 ITC-01 USIA-06 PRS-01
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EO 11652: NA
TAGS: ETRD PL
SUBJ: AIDE MEMOIRE ON POLISH GOLF CARTS

REF: (A) WARSAW 4939, (B) STATE 18548

1. SUMMARY: ON AUGUST 16, VICE MINISTER OF
FOREIGN AFFAIRS SPASOWSKI GAVE ME AN AIDE MEMOIRE EXPRESSING
CONCERN THAT GOP'S AIDE MEMOIRE OF JULY 11 WAS NOT BEING TAKEN
FULLY INTO CONSIDERATION IN SETTING DUMPING DUTIES ON POLISH
CARTS. THE NOTE REQUEST THAT FINAL DUMPING DUTIES NOT BE ASSESSED
UNTIL THE POLISH POSITION HAS BEEN FULLY STUDIED. END SUMMARY.

2. AN INFORMAL TRANSLATION OF THE AIDE MEMOIRE FOLLOWS.
QUOTE: I. IN THE AIDE MEMOIRE OF JULY 11, 1977, THE POSITION OF
THE POLISH GIVERNMENT ON THE QUESTION OF EXPORTS OF POLISH GOLF
CARTS TO THE UNITED STATES WAS PRESENTED. THE AMERICAN SIDE HAS
ADIVSED THAT THE QUESTION OF DUMPING DUITES ON THESE EXPORTS IS
BEING URGENTLY EXAMINED AND THAT ALL POSSIBILITIES FOR FINDING
SOLUTIONS IN THE INTERESTS OF BOTH SIDES ARE BEING CONSIDERED.

II. CONVERSATIONS HAELD RECENTLY IN WASHINGTON, HOWEVER,
GIVE RISE TO THE FEAR THAT THE ARGUMENTS AND PROOF PRESENTED
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BY THE POLISH SIDE ARE NOT BEING TAKEN INTO CONSIDERATION
BY THE BUREAU OF CUSTOMS, WHICH HAS BEGUN THE CALCULATION
OF CUSTOMS DUTIES FOR THE YEARS 1975 AND 1976.

III. THE POLISH SIDE BELIEVES THAT THE PROCEEDINGS OF THE
BUREAU OF CUSTOMS, SUCH AS THE CALCULATION AND ASSESSMENT
OF CUSTOMS DUTIES FOR EXPORTS OF GOLF CARTS IN 1975 AND
1976, SHOULD NOT PRECEDE THE DETERMINATION OF AN OFFICIAL U.S.

ATTITUDE ON THE POSITION PRESENTED IN THE ABOVE-MENTIONED AIDE MEMOIRE. THE POLISH SIDE HOPES THAT, UNTIL SUCH TIME, THE BUREAU OF CUSTOMS WILL SUSPEND FURTHER CALCULATIONS OF ANTI-DUMPING DUTIES AND THE ARGUMENTS OF THE POLISH SIDE WILL BE FULLY CONSIDERED. IV. THE POLISH SIDE STATES ANEW THAT IT ATTACHES PARTICULAR IMPORTANCE TO AN OUT-COME ON THE CASE OF GOLF-CART EXPORTS TO THE UNITED STATES WHICH WILL PERMIT THE CONTINUATION OF UNDISTURBED DEVELOPMENT OF COMMERCIAL RELATIONS IN THE MACHINE-INDUSTRY SECTOR. END QUOTE.

4. I EXPLAINED TO SPASOWSKI THAT, ACCORDING TO OUR MOST RECENT INFORMATION ON THE CASE, CUSTOMS PROBABLY WOULD NOT CONCLUDE FOR ANOTHER SIX MONTHS ITS CALCULATION ON FAIR VALUE FOR SALES DURING THE SECOND HALF OF 1975. WE SAID THAT, ALTHOUGH TREASURY WOULD HAVE TO REACH SOON A DECISION ON FAIR VALUE FOR SALES IN 1976 AND 1977, IT WAS WAITING FOR INFORMATION ON THE POSSIBLE MANUFACTURE OF SIMILAR VEHICLES IN OTHER COUNTRIES. THIS IS IN KEEPING WITH THE DESIRE TO CONSIDER ALL LEGAL POSSIBILITIES, WE EXPLAINED. WE REPEATED THAT THE FINAL DECISION ON FAIR VALUE FOR 1976 AND 1977 WILL BE MADE AT THE HIGHEST LEVELS IN TREASURY, AND WE ASKED SPASOWSKI WHAT SPECIFIC PROBLEM HAD GIVEN RISE TO THIS NEW AIDE MEMOIRE.

5. SPASOWSKI REPLIED THAT THE GOLF-CART CASE WAS NOW LIMITED OFFICIAL USE

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BEING CONSIDERED IN THE OFFICE OF PREMIER JAROSZEWICZ AND THAT THE MINISTRY WAS EXPECTED TO PRODUCE A CLEAR STATEMENT OF THE AMERICAN REACTION TO THE POLISH POSITION. THE MINISTRY HOPES THIS REACTION IS CONVEYED TO THE GOP BEFORE A FINAL DECISION IS MADE ON DUMPING ASSESSMENTS THROUGH 1977. SPASOWSKI SAID THAT IT WAS VERY IMPORTANT THAT SECRETARY BLUMENTHAL EXPLAIN THE U.S. POSITION TO AMBASSADOR TRMAPCZYNSKI BEFORE RECEIPT OF TREASURY'S FINAL DECISION ON FAIR VALUE. HE SAID THE MEETING HELD ON AUGUST 5 WITH TREASURY GENERAL COUNSEL MUNDHEIM WAS APPRECIATED, BUT THAT IT SHOULD NOT BE REGARDED AS A SUBSTITUTE FOR THE DESIRED MEETING WITH SECRETARY BLUMENTHAL.

6. I SAID THAT WE WOULD FORWARD THE AIDE MEMOIRE FOR THE ATTENTION OF OFFICIALS AT TREASURY, STATE, COMMERCE, AND THE N.S.C., AS SPASOWSKI HAD REQUESTED.

7. COMMENT: THIS MOST RECENT AIDE MEMOIRE IS ANOTHER EXAMPLE OF THE LESS THAN CLEAR UNDERSTANDING POLISH OFFICIALS HAVE OF U.S. REGULATORY PROCEDURES. IN VIEW OF SPASOWSKI'S COMMENT, WE REGARD THE AIDE MEMOIRE AS AN INDICATION OF THE CONCERN OF POLISH OFFICIALS FOR THE TIMING AND

OPTICS, AS WEEL AS THE SUBSTANCE OF TRESURY'S DECISION.
IF THE DECISION IS NEGATIVE, OFFICIALS
HERE MUST SHOW THAT THEIR ARGUMENTS WERE TAKEN INTO
CONSIDERATION AT THE HIGHEST LEVELS IN WASHINGTON. END COMMENT.

DAVIES

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Message Attributes

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